

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MAXUS METROPOLITAN, LLC,)
)
)
Plaintiff,)
)
vs.) Case No. 20-CV-0095-FJG
)
)
TRAVELERS PROPERTY CASUALTY)
COMPANY OF AMERICA,)
)
)
Defendant.

ORDER

Currently pending before the Court is defendant Travelers Property Casualty Company of America (Travelers') Motion for a Stay of Judgments Pending Appeal (Doc. # 274).

Fed.R.Civ.P. 62(b) states: “[a]t any time after judgment is entered, a party may obtain a stay by providing a bond or other security.” Travelers states that it has obtained a bond in the amount of \$37,067,957.20 which is approximately the total amount of the judgment which was entered on August 3, 2023, totaling \$27,877.168.40, plus the attorney’s fee award of \$2,739,364.80 and prejudgment interest of \$6,451,454.00 awarded by the Court on January 3, 2024. On January 29, 2024, Travelers tendered a partial payment of the judgment in the amount of \$5,812,042.33 while reserving all appellate rights, leaving a remaining amount of \$31,255,944.87. On January 30, 2024, Travelers filed its notice of appeal with the Eighth Circuit Court of Appeals. Therefore, pursuant to Fed.R.Civ.P. 62(b), Travelers requests that the Court approve the bond and stay the Court’s judgment pending final resolution of Travelers’ appeal. Plaintiff Maxus

Metropolitan, LLC ("Maxus") does not oppose Travelers' Motion for a Stay of Judgments Pending Appeal because Travelers has tendered partial payment of the judgment.

The Appeal Bond which Travelers attached to its Motion was issued by Travelers Casualty and Surety Company of America. Normally, Appeal Bonds are not issued by the same party or a division of the party which is seeking the Bond. However, if the form and substance of the Appeal Bond are acceptable to plaintiff, the Court will approve the Bond. Plaintiff shall have ten days in which to file any objections to the form or substance of the Bond.

Date: July 2, 2024
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge